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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/774,440

02/10/2004

Keiji Ogawa

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EXAMINER

OLIVA, CARMELO B

ART UNIT

PAPER NUMBER

2831

DATE MAILED: 03/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	<b>Application No.</b> 10/774,440	<b>Applicant(s)</b> OGAWA, ET AL.	
	<b>Examiner</b> Carmelo Oliva	<b>Art Unit</b> 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                                              |                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2/10/04</u> . | 6) <input type="checkbox"/> Other: ____.                                                |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-4,6,7,11-14,16,17, rejected under 35 U.S.C. 102(b) as being anticipated by Uchida et al. (US 6,079,099).

Regarding claims 1 and 11, Uchida discloses an integrated electronic component comprising:

a ceramic substrate 20 including circuit elements 22,27; and

a metal case 10 having a top segment and substrate-facing segments and being mounted on the ceramic substrate;

wherein bottom edges of the substrate-facing segments oppose a top surface of the ceramic substrate, the substrate-facing segments have notches at positions opposing corners of the top surface of the ceramic substrate, and the notches have a tapered shape having obtuse angles and a circular arc shape as shown in Fig. 1.

Regarding claims 2 and 12, the metal case 10 includes side segments, the substrate-facing segments are seamlessly connected to the side segments at positions opposing the corners of the top surface of the ceramic substrate, and the substrate-facing segments are separated from the top surface, thereby the substrate-facing

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segments being supported at borders with the side segments in a cantilevered fashion as shown in Fig 1.

Regarding claims 3 and 13, the circuit elements 22 are disposed within the ceramic substrate.

Regarding claims 4 and 14, the circuit elements 27 are mounted on the ceramic substrate.

Regarding claims 6 and 16, the ceramic substrate 20 includes a plurality of laminated ceramic sheets as shown in Fig. 2.

Regarding claims 7 and 17, the metal case 10 has a substantially box-like shape as shown in Fig. 1.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 5,8-10,15,18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchida et al. (US 6,079,099).

Regarding claims 5 and 15, Uchida et al. does not disclose that the metal case is of at least one of phosphor bronze and nickel silver. Examiner takes Official Notice that phosphor bronze and nickel silver are well known in the shielding art for their conductive properties. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the phosphor bronze and nickel silver material, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

Regarding claims 8-10,18 and 19, Uchida et al. does not show the claimed ranges of component dimensions. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have the claimed range of component dimensions, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Aller*, 105 USPQ 233.

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**Conclusion**

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,694,610; US 6,687,135; US 4,841,414 all show substrates with metal cases.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carmelo Oliva whose telephone number is (571)272-1982. The examiner can normally be reached flexible hours on Monday through Friday with every other Wednesday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard, can be reached at (571)272-2800 ext. 31. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

*Dean A. Reichard* 3/21/05

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